

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:	:	
Evan Sharples	:	
	:	
S.N.: 10/711,991	:	
	:	A.U. : 3644
Filed: 10/18/2004	:	
	:	Examiner: Trinh Nguyen
For: DUAL PURPOSE DISPLAY	:	
FIXTURE	:	
	:	

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Mail Stop Fee  
Commissioner of Patents  
Box 1450  
Alexandria, VA 22302

**Response to Notice of Non-compliant Amendment**  
**Request for Reconsideration and Amendment**

Sir:

This amendment is in response to the outstanding Office Action. This response is a full, complete and timely response to that Office Action.

The amendment to the drawings begins on page 2.

The Status of the Claims begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

**Drawing Amendments**

The drawings have been amended to add the following reference numbers: 30, 34, 44, 46, 48, 50, 52, 54, 78, 80, 60, 62, 86, 170, 142, 144, 146, 190, and 192.

### **STATUS OF THE CLAIMS:**

This listing of claims will replace all prior versions, and listing, of claims in the application:

#### **Listing of Claims:**

1. (Amended) A display system for plant displays, wherein said system comprises:  
a display support structure;  
~~at least one~~ a first display case; ~~and~~  
~~an~~ a first attachment mechanism for attaching said ~~at least one~~ first display case to said display support structure to allow said ~~at least one~~ first display case to pivot between a substantially horizontal position for use as a display stand and a substantially vertical position for compact storage;
- a second display case; and  
a second attachment mechanism for attaching said second display case to said display support structure to allow said second display case to pivot independently from said first display case between a substantially horizontal position for use as a display stand and a substantially vertical position for compact storage.
2. (Amended) The display system of claim 1 wherein said display stand includes:  
a first vertical support structure;  
a second vertical support structure parallel to and spaced from said first vertical support structure; and  
said first attachment mechanism includes a first fastener securing said ~~at least one~~ first display case to said first vertical support structure for pivoting movement relative to said first vertical support structure; and  
a second fastener securing said ~~at least one~~ first display case to said second vertical support structure for pivoting movement relative to said second vertical support structure.
3. (Amended) The display system of claim 1 wherein said display stand includes:  
a first vertical support structure;  
a horizontal member on said first vertical support structure;

a second vertical support structure parallel to and spaced from said first vertical support structure;

a horizontal member on said second vertical support structure; and

said first attachment mechanism includes a first fastener securing said ~~at least one~~ first display case to said horizontal member on said first vertical support structure for pivoting movement relative to said first vertical support structure; and

a second fastener securing said ~~at least one~~ first display case to said horizontal member on said second vertical support structure for pivoting movement relative to said second vertical support structure.

4. (Amended) The display system of claim 1 wherein said display stand includes:

a first vertical support structure;

a first horizontal member on said first vertical support structure;

a second horizontal member on said first vertical support structure spaced from and parallel to said first horizontal member;

a second vertical support structure parallel to and spaced from said first vertical support structure;

a first horizontal member on said second vertical support structure;

a second horizontal member on said second vertical support structure spaced from and parallel to said first horizontal member; and

said attachment mechanism includes a first fastener securing said ~~a~~ first display case to said first horizontal member on said first vertical support structure for pivoting movement relative to said first vertical support structure; and

a second fastener securing said ~~at least one~~ first display case to said first horizontal member on said second vertical support structure for pivoting movement relative to said second vertical support structure; and

a third fastener securing said ~~a~~ second display case to said second horizontal member on said first vertical support structure for pivoting movement relative to said first vertical support structure independently from said first display case; and

a fourth fastener securing said ~~at least one~~ second display case to said second horizontal member on said second vertical support structure for pivoting movement relative to said second

vertical support structure independently from said first display case.

5. (Amended) The display system of claim 1 wherein said display stand includes:

- a first vertical support structure;
- a first horizontal member on said first vertical support structure;
- a second horizontal member on said first vertical support structure spaced from and parallel to said first horizontal member;
- a second vertical support structure parallel to and spaced from said first vertical support structure;
- a first horizontal member on said second vertical support structure;
- a second horizontal member on said second vertical support structure spaced from and parallel to said first horizontal member; and

said attachment mechanism includes a first fastener securing said a first display case to said first horizontal member on said first vertical support structure for pivoting movement relative to said first vertical support structure; and

- a second fastener securing said ~~at least one~~ first display case to said first horizontal member on said second vertical support structure for pivoting movement relative to said second vertical support structure;
- a third fastener securing said a second display case to said second horizontal member on said first vertical support structure for pivoting movement relative to said first vertical support structure independently from said first display case; and
- a fourth fastener securing said second display case to said second horizontal member on said second vertical support structure for pivoting movement relative to said second vertical support structure independently from said first display case; ~~and~~  
a third display case;
- a fifth fastener securing said a third display case to said second horizontal member on said first vertical support structure for pivoting movement relative to said first vertical support structure independently from said first and second display cases; and
- a sixth fastener securing said third display case to said second horizontal member on said second vertical support structure for pivoting movement relative to said second vertical support structure independently from said first and second display cases.

6. (Original) The display stand of claim 5 wherein said first display case pivots substantially vertical between said second display case and said third display case as said second display case and said third display case pivot substantially vertical.

7. (Original) The display stand of claim 1 wherein said display stand further includes:  
at least one beam extending across the upper end of said support structure for hanging displays from said at least one rail member.

8. (Original) The display system of claim 1 wherein said display stand includes:  
a first vertical support structure;  
a second vertical support structure parallel to and spaced from said first vertical support structure; and  
at least one beam extending between said first vertical support structure and said second vertical support structure to allow displays to be hung from said at least one rail member.

9. (Withdrawn) The display system of claim 1 wherein said display stand includes:  
a first vertical support structure;  
a second vertical support structure parallel to and spaced from said first vertical support structure;  
at least one additional vertical support structure parallel to and spaced from said first vertical support structure and said second vertical support structure;  
a first set of display cases extending between said first vertical support structure and said second vertical support structure; and a second set of display cases extending between said second vertical support structure and one of said at least one additional vertical support structures.

## **REMARKS**

Claims 1 - 8 are currently pending in this application. Claim 9 has been withdrawn as a non-elected invention.

### **Election/Restrictions**

The attorney for the applicant elected Species 1 without traverse. However, claims 4 – 6 and 8 were withdrawn by the examiner as directed to Species 2, Figures 7 – 8. Claims 4 – 6 and 8 are directed to Species as illustrated in Figures 1 – 6. Thus claims 4 – 6 and 8 should have been examined in the previous Office Action. The differences between Species 1 and 2 are the additional vertical supports that allow the use of six display cases.

### **Response to Objections to the Drawings**

The drawings have been amended to include the missing reference numbers.

### **Response to Rejection under 35 USC 102**

Claims 1 – 3 and 6 were rejected under 35 U.S.C. 102(b) as anticipated by Liaw. Liaw discloses a foldable serving cart that has multiple support boards that are fastened together by propping rods. The support boards pivot between horizontal and vertical positions. However these support boards are fastened to the propping rods so that they pivot in unison. This prevents the support boards from pivoting independently from one another.

The claims as presently amended include the limitation of attachment mechanisms for each display case that allows the display cases to pivot independently from one another. This limitation is not disclosed by Liaw. It has been clearly established that under 35 U.S.C. 102(b), in order for a reference to anticipate a claimed invention, it must disclose every limitation of the claimed invention. In this instance, Liaw does not disclose the limitation of the independent pivoting movement of the display cases. Thus claim 1 is allowable over this reference.

Claims 2 – 9 includes the limitations of claim 1 and are thus allowable for that reason. Further, claim 6 includes the limitation of the first display case pivots vertically between the second and third display cases. This limitation is also not disclosed by Liaw.

The Applicant respectfully requests that claims 1 – 8 be allowed in view of the above remarks. The Examiner is respectfully requested to telephone the undersigned if further discussions would advance the prosecution of this application.

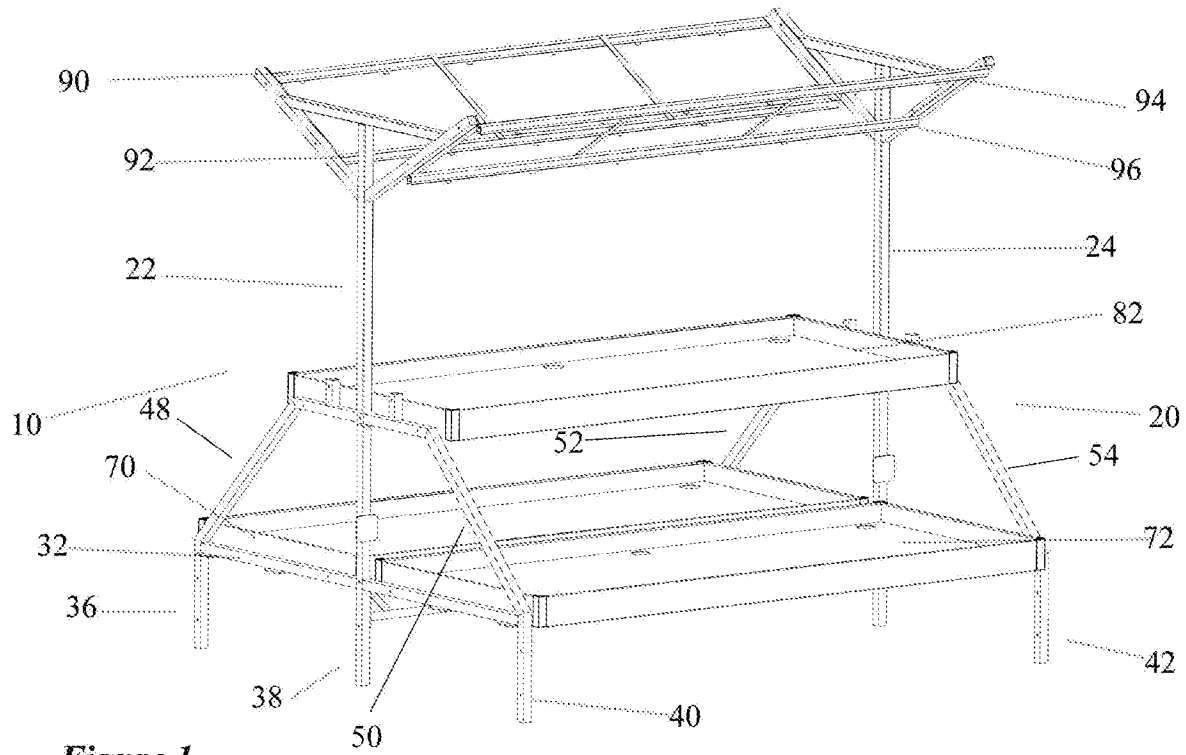
Respectfully submitted,

Date: May 22, 2006

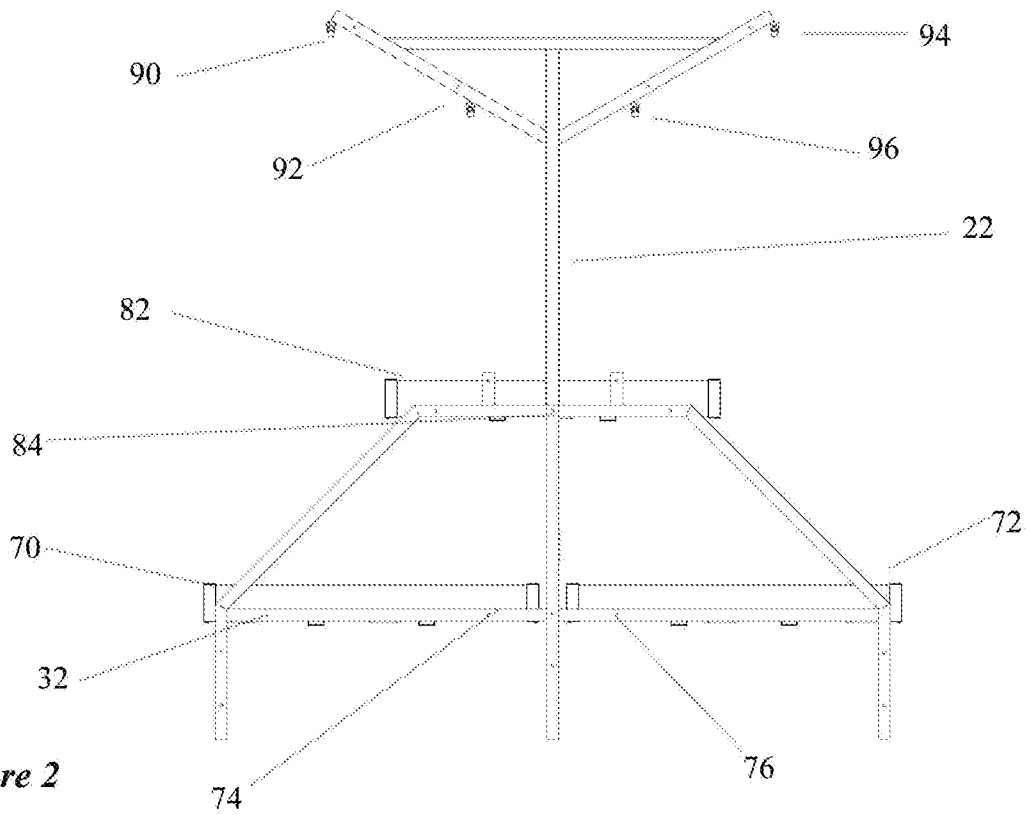
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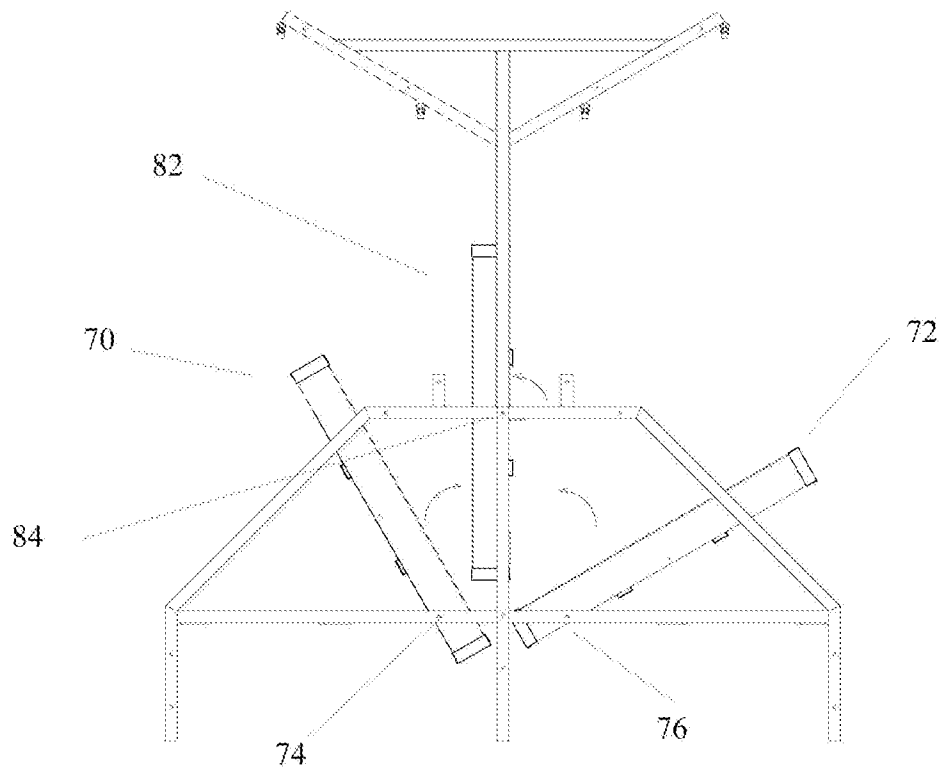
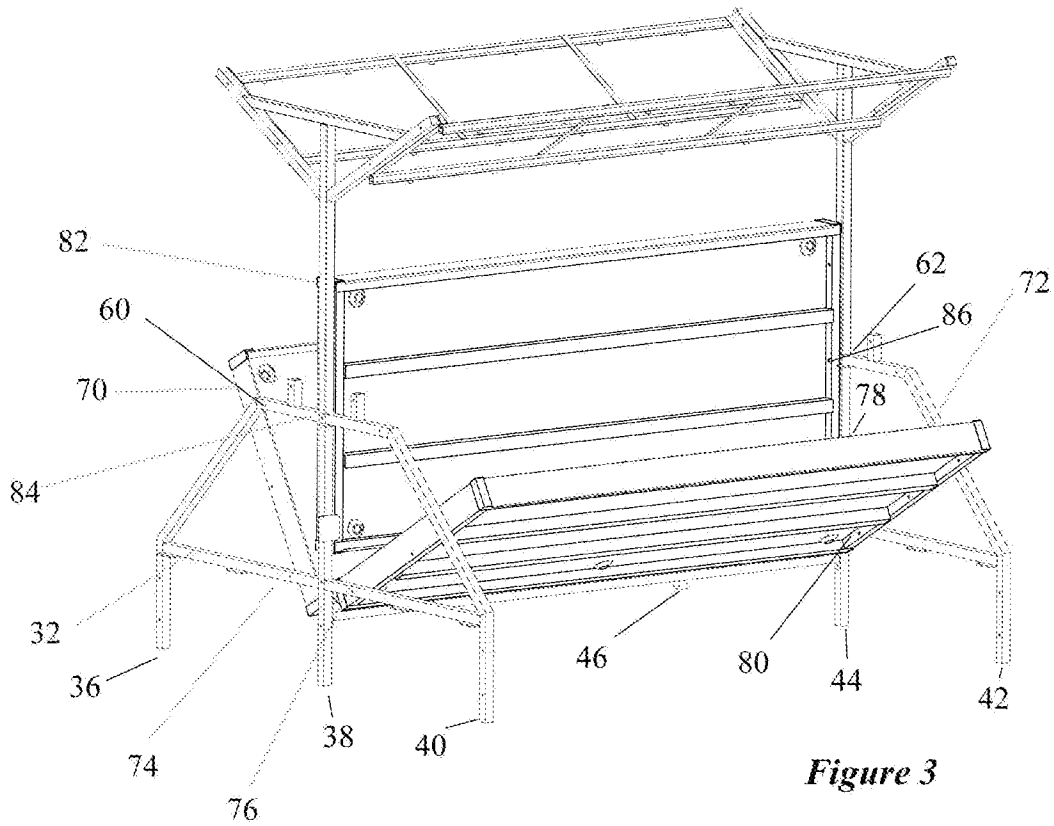
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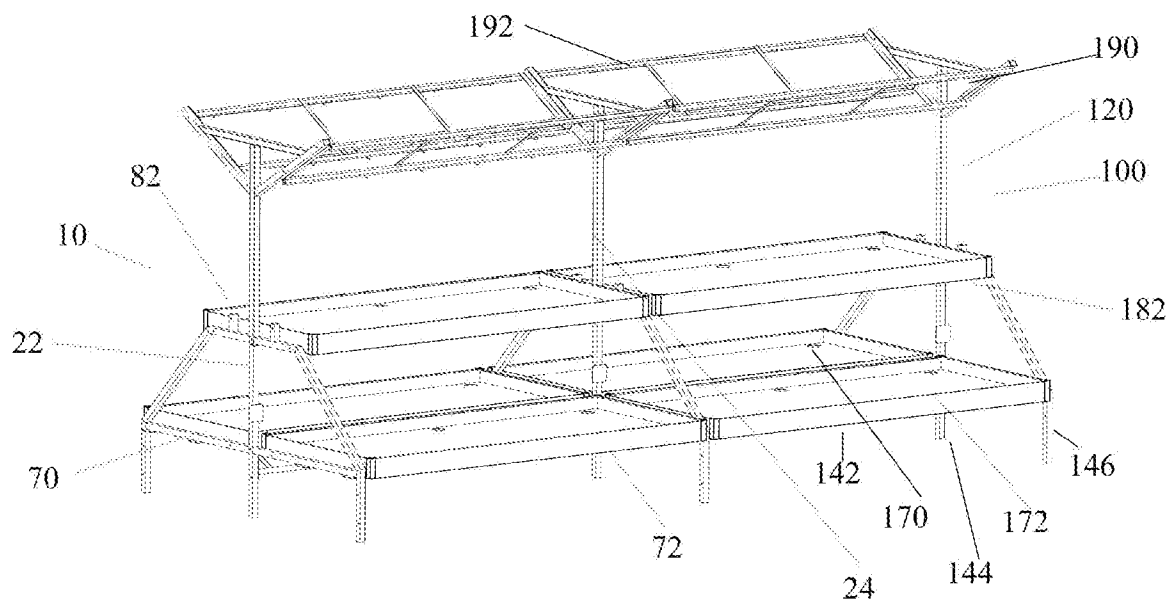


**Figure 1**

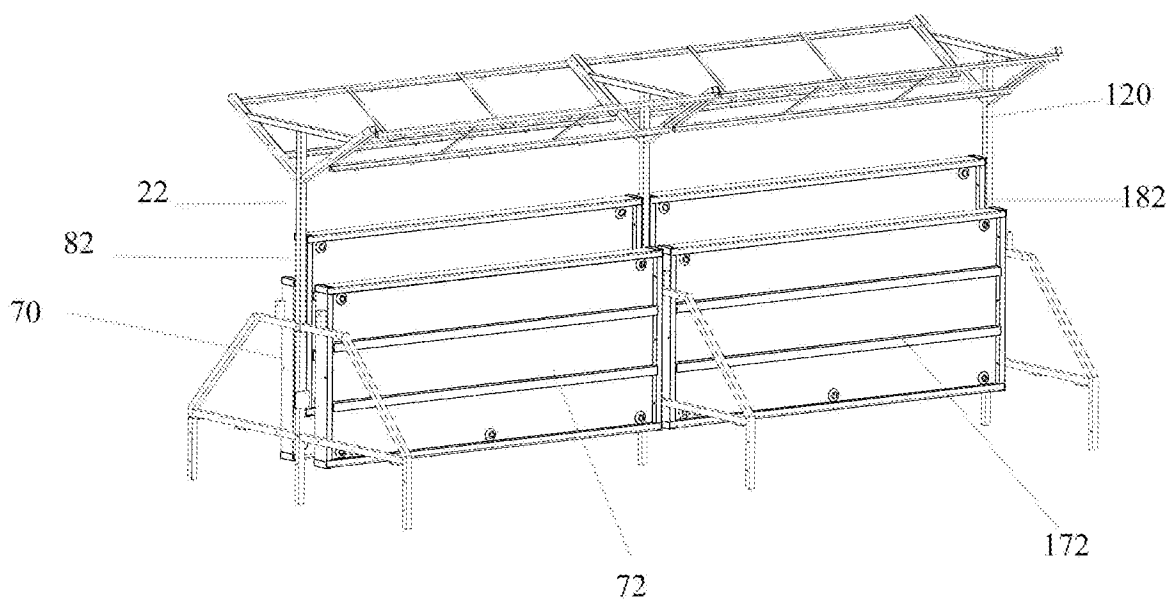


**Figure 2**





**Figure 7**



**Figure 8**